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D9359B

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of RICHARD S. BROWN

App. No. 10/727,998

Examiner: _____

Filed: December 3, 2003

Art Unit: _____

Atty. Docket No. D9359B

Confirmation No. 7137

For: APPARATUS AND METHODS FOR WASHING THE CORED
AREAS OF LETTUCE HEADS

Formalities Letter mailed: May 12, 2005

Mail Stop Missing Parts
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

8

**PETITION UNDER 37 CFR 1.181 TO GIVE APPLICANT THE U.S. PATENT
APPLICATION FILING DATE OF DECEMBER 3, 2003 FOR U.S. PATENT
APPLICATION SERIAL NO. 10/727,998 ENTITLED "APPARATUS AND
METHODS FOR WASHING THE CORED AREAS OF LETTUCE HEADS"**

Dear Sir:

Applicant, through his attorney of record, hereby petitions the Commissioner of Patents to give the captioned patent application the filing date of December 3, 2003, the actual filing date of this application in the PTO. Attached as Exhibit A is a copy of the PTO's Notice of Incomplete Nonprovisional Application Filed Under 37 CFR 1.53(b) that we received on May 20, 2005, nearly **18 months** after the filing date of this application.

Attached as Exhibit B, is a copy of the postcard that we received in January 2004, indicating that this application had been assigned Serial No. 10/727,998 and the filing date December 3, 2003.

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BEST AVAILABLE COPY

Attached as Exhibit C, is a copy of Applicant's Transmittal Form for the captioned U.S. Patent Application at issue. At page 2 of this transmittal form, Applicant checked box 5, to incorporate by reference, the entire specifications, drawings, claims, and oath of the prior co-pending patent applications listed at page 1 of the transmittal form.

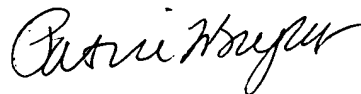
True and correct copies of these applications, incorporated by reference applications, are attached as Exhibits D and E, respectively, including the Declaration of the Inventor in each case.

We respectfully request the PTO to give the captioned Application, Serial No. 10/727,998, the filing date of December 3, 2003. We hereby authorize the PTO to charge our Deposit Account for the \$400.00 petition fee or for any other applicable fees, and our Deposit Account No. is 02-3823.

Please call me to acknowledge receipt of these papers. Thank you.

Dated: June 2, 2005

Respectfully submitted,



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